

ASSISTANCE TO THE PEOPLE OF AUSTRIA

*Agreement signed at Vienna January 2, 1948, with annex
Entered into force January 2, 1948
Expired December 31, 1948*

62 Stat. 1829; Treaties and Other
International Acts Series 1692

AGREEMENT BETWEEN THE GOVERNMENT OF THE UNITED STATES AND THE GOVERNMENT OF AUSTRIA

"The Government of the United States of America and the Government of Austria,

"Considering the desire of the people of the United States of America to provide immediate assistance to the people of Austria, and

"Considering that the enactment of the Foreign Aid Act of 1947¹ by the United States of America (hereinafter referred to as the Act) provides the basis for such assistance to the people of Austria, have agreed as follows:

ARTICLE I

1. The Government of the United States of America will, subject to the provisions of the Act and of appropriation acts thereunder and of this Agreement, aid the people of Austria by making available such commodities (including storage, transportation, and shipping services related thereto) or by providing for the procurement thereof through credits under the control of the Government of the United States of America, to the Government of Austria or to any person, agency, or organization designated to act on behalf of the Government of Austria as may from time to time be requested by the Government of Austria and authorized by the Act and by the Government of the United States of America. This Agreement, however, implies no present or future obligation upon the Government of the United States of America to give assistance to the people of Austria, nor does it imply or guarantee the availability of any specific commodities or categories of commodities, nor shall it imply the payment by the Government of the United States of America for any storage, transportation, handling or shipping services within Austria.

¹ 61 Stat. 934.

2. All commodities made available pursuant to this Agreement will be procured in the United States of America unless permitted to be procured elsewhere under the provisions of Section 4 of the Act and unless otherwise expressly agreed between the two Governments.

3. The Government of the United States of America retains the right of possession of any commodities made available pursuant to this Agreement, until, in the opinion of the United States High Commissioner for Austria or other designated official of the Government of the United States of America, such commodities should be released for distribution.

ARTICLE II

1. The Government of Austria, having been fully informed as to the provisions of the Act hereby affirms that it accepts and will perform the undertakings specified in Section 5 thereof, as well as those provided for in Section 7 of the Act insofar as action by it may be required for implementation of such latter Section.

2. The undertaking of the Government of Austria pursuant to paragraph 1 of this Article, to permit duly authorized representatives of the Government of the United States of America, including Congressional committees, to observe, advise and report on the distribution among the people of Austria of the commodities made available pursuant to this Agreement, and also to permit representatives of the press and radio of the United States of America to observe and report on the distribution and utilization of the commodities made available pursuant to this Agreement and on the utilization of the special account provided for in the Annex to this Agreement, shall not be applicable so long as the Government of the United States of America determines that commodities made available to the Government of Austria pursuant to this Agreement will be distributed under control systems embodied in the agreements between the United States High Commissioner for Austria and the other occupying authorities or the Government of Austria which assure compliance with the objectives of the occupation and with the purposes of the Act.

ARTICLE III

1. The Government of the United States of America, pursuant to the requirements of Section 6 of the Act, reserves the right at any time to terminate its aid provided for under Article I, paragraph 1, of this Agreement.

2. This Agreement, together with the Annex attached thereto, shall take effect to the date of its signature and shall apply to all commodities made available to the Government of Austria under the Act. It shall remain in effect until December 31, 1948, or such earlier date as may be agreed by the two Governments.

In witness whereof, the undersigned, being duly authorized by their respective Governments for that purpose, have affixed their respective signatures to this Agreement.

Done at Vienna, in the English and German languages, this 2nd day of January, 1948.

For the Government of the United States of America:

GEOFFREY KEYES

For the Government of Austria:

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ANNEX

SECTION I

1. In the case of any commodity made available pursuant to this Agreement or in the case of credits established under the Act being debited pursuant thereto in respect of the furnishing of any such commodity, the Government of Austria will, forthwith upon notification by the Government of the United States of America, deposit in a special account in the Austrian National Bank in the name of the Government of Austria, an amount in Austrian currency equivalent to the dollar amount stated in the notification. The amount so stated will be either the dollar cost in respect of such commodity (including storage, transportation, and shipping services related thereto) which is indicated as chargeable to appropriations under the Act, or the amount of the debit, as the case may be. The amount deposited in Austrian currency will be computed at the most favorable rate of exchange in terms of United States dollars which is lawfully available in Austria to any legal personality and is then applicable to imports of any commodity into Austria.

2. The funds in such special account, or prior advances in agreed amounts, will be used for administrative expenses of the Government of the United States of America, in Austrian currency, incident to its operations within Austria under this Agreement. The remainder of such funds may be used for the following additional purposes:

(a) For effective retirement of the national debt of Austria or for irrevocable withdrawal of currency from circulation, and,

(b) For such other purposes, including measures to promote the stabilization of Austrian currency, as may hereafter be mutually agreed by the two Governments.

Any unencumbered balance remaining in such account on June 30, 1948, will be disposed of within Austria for such purposes as may hereafter be agreed between the two Governments, it being understood that the agreement of the United States of America is subject to approval by act or joint resolution of the Congress.

4. The provisions of this Section shall remain in effect until superseded by a further agreement by the two Governments.

SECTION II

Any commodities made available under this Agreement by the Government of the United States of America, unless substantially altered from the form in which furnished and substantially identical commodities within Austria from whatever source procured, will not be removed or permitted to be removed from the territory of the Government of Austria, unless it is agreed between the two Governments that such commodities are no longer needed in Austria or that the export of such commodities would yield a commensurate benefit, not inconsistent with the purposes of the Act as set forth in Section II thereof, to the economy of Austria, or unless otherwise expressly agreed between two Governments.

SECTION III

The Government of Austria will furnish such statements and information relating to operations under this Agreement as may from time to time be requested by the Government of the United States of America."